

REMARKS

Claims 1-44, as amended, remain herein. Claims 32-43 are presently withdrawn. Claims 1-3, 5, 8-10, 13, 17, 19, 20, 22-24, 26, 29 and 31 have been amended. New claim 44 has been added. Support for the amendments and the new claim may be found throughout the specification (see, e.g., figures, particularly, FIG. 3(a); and page 6, line 23 to page 7, line 5 of applicants' specification).

1. Claims 1-7 and 26-31 were rejected under 35 U.S.C. § 103(a) over Rouviere FR 2 797 579 in view of Grunert et al. U.S. Patent 3,030,959 and Kolomeir U.S. Patent 3,708,235. The Office Action states that Kolomeir teaches a plurality of sharp units connected in series in such a manner that removal of a unit pulls the next unit into useable position.

Applicants' claims 1 and 26 recite a puncture instrument housing a plurality of puncture needles, wherein each puncture needle comprises a body member and a needle member, wherein a base end of the needle member is secured in and substantially coaxial with the body member, and a needle point end protrudes forwardly; and the body member comprises a forward end and a rear end having substantially complementary shapes such that the needle members are hygienically maintained and deployed, and such that the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position.

None of Rouviere, Grunert, or Kolomeir teaches or suggests applicants' claimed puncture instrument wherein the needle members are hygienically maintained and deployed, and the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position. In addition, Kolomeir pertains to art that is non-analogous to the present application. See MPEP § 2141.01(a)(I) ("To rely on a reference under 35 U.S.C. § 103, it

must be analogous prior art.”). Unlike the present application, Kolomeir relates to a marking instrument and says nothing about a puncture instrument or puncture needles. A person of ordinary skill in this art would not have been motivated to combine Rouviere, Grunert and Kolomeir because the mechanism of Kolomeir may not be suitable for puncture needles and says nothing about hygienically maintaining and deploying the marking units.

Thus, none of Rouviere, Grunert, or Kolomeir teaches or suggests applicants’ claimed invention. In addition, Rouviere, Grunert and Kolomeir disclose nothing that would have suggested applicants’ claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in any of Rouviere, Grunert, Kolomeir or otherwise in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants’ presently claimed invention. Applicants respectfully request reconsideration and withdrawal of this rejection.

2. Claims 8-17, 21, 22, 24 and 25 were rejected under 35 U.S.C. § 103(a) over Grunert in view of Kolomeir.

Applicants’ claim 8 recites a puncture needle cartridge comprising a plurality of puncture needles, wherein each puncture needle comprises a body member and a needle member, wherein a base end of the needle member is secured in and substantially coaxial with the body member, and a needle point end protrudes forwardly; and the body member comprises a forward end and a rear end having substantially complementary shapes such that the needle members are hygienically maintained and deployed, and such that the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position.

As discussed above, neither Grunert nor Kolomeir teaches or suggests applicants' claimed puncture needles wherein the needle members are hygienically maintained and deployed, and the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position.

Thus, neither Grunert nor Kolomeir teaches or suggests applicants' claimed invention. In addition, Grunert and Kolomeir disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in Grunert, Kolomeir, or otherwise in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Applicants respectfully request reconsideration and withdrawal of this rejection.

3. Claims 19, 20, 22 and 23 were rejected under 35 U.S.C. § 103(a) over Grunert in view of Kolomeir and Rouviere. Claims 19, 20, 22 and 23 depend, directly or indirectly, from claim 8.

Applicants' claim 8 recites a puncture needle cartridge comprising a plurality of puncture needles, wherein each puncture needle comprises a body member and a needle member, wherein a base end of the needle member is secured in and substantially coaxial with the body member, and a needle point end protrudes forwardly; and the body member comprises a forward end and a rear end having substantially complementary shapes such that the needle members are hygienically maintained and deployed, and such that the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position.

As discussed above, none of Grunert, Kolomeir, or Rouviere, teaches or suggests applicants' claimed puncture needles wherein the needle members are hygienically maintained and deployed, and the puncture needles are connected in such a manner that removal of a puncture needle pulls the next puncture needle to the puncture position.

Thus, none of Grunert, Kolomeir, or Rouviere teaches or suggests applicants' claimed invention. In addition, Grunert, Kolomeir, and Rouviere disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in Grunert, Kolomeir, Rouviere, Smith or otherwise in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Applicants respectfully request reconsideration and withdrawal of this rejection.

For all the foregoing reasons, all claims 1-31 and 44 are now proper in form and patentably distinguished over all grounds of rejection cited in the Office Action. The PTO is hereby authorized to charge or credit any necessary fees to Deposit Account No. 19-4293. Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, he is invited to telephone applicants' undersigned representative.

Respectfully submitted,

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